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4 FANNY SABY,
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6 Plaintiff,
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8 v.
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10 LYCEE FRANCAIS DE SAN
11 FRANCISCO,
12 Defendant.

Case No. [22-cv-5385-JSC](#)

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28 **ORDER TO PLAINTIFF TO SHOW
CAUSE WHY ACTION SHOULD NOT
BE DISMISSED FOR FAILURE TO
PROSECUTE**

By Order filed May 16, 2023, the Court granted Defendant's motion to compel arbitration and stayed the case pending resolution of the arbitration. (Dkt. No. 31.) The Court also directed Defendant to provide a written update on the arbitration's status by May 17, 2024. Defendant did so, and reports that to date Plaintiff has not initiated arbitration and that as of late, Defendant has been unable to contact Plaintiff's counsel.

Accordingly, Plaintiff is ordered to show cause why the stay should not be lifted and this action DISMISSED WITHOUT PREJUDICE due to Plaintiff's failure to prosecute the action.

See Fed. R. Civ. P. 41(b); *Link v. Wabash R. Co.*, 370 U.S. 626, 633 (1962) (holding "a District Court may dismiss a complaint for failure to prosecute" based on the court's own inherent authority). Plaintiff must respond in writing on or before **May 31, 2024**. Plaintiff is warned that failure to respond to this Order by May 31, will result in dismissal of the federal court action without prejudice.

IT IS SO ORDERED.

Dated: May 21, 2024


JACQUELINE SCOTT CORLEY
United States District Judge